

**AN ORDINANCE
BY COUNCILMEMBER KWANZA HALL**

AN ORDINANCE TO CORRECT ORDINANCE 07-O-0982 BY PROVIDING AN AMENDED LEGAL DESCRIPTION AND MAP FOR THE ABANDONMENT OF A PORTION OF JOHN WESLEY DOBBS AVENUE, LOCATED BETWEEN JACKSON STREET AND THE DEAD END OF JOHN WESLEY DOBBS AVENUE CONSISTING OF 11,914 SQUARE FEET (.27 ACRE), MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A1"; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 07-O-0982, which was adopted by Council on June 4, 2007 and approved by the Mayor on June 12, 2007, abandoned a portion of John Wesley Dobbs located between Jackson Street and the dead end of John Wesley Dobbs Avenue for the purpose of the owner using the property for their own private use; and

WHEREAS, the ordinance included a legal description for the subject property to be abandoned; and

WHEREAS, it was later determined that the legal description does not accurately reflect the size of the property due to a surveyor's administrative error; and

WHEREAS, 07-O-0982 stated that the said tract or parcel of land contained 11, 914 square feet or .2735 acres; and

WHEREAS, the actual size of the said tract or parcel of land contains 11,881 square feet or .273 acres; and

WHEREAS, the correct legal description attached herein as "Exhibit A1" depicts the correct square feet and true boundaries of the property.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
as follows:

Section 1.

That Ordinance 07-O-0982 is hereby corrected by deleting its legal description and map, attached in the legislation as "Exhibit A" and substituting a new corrected legal description, which is attached hereto as a new "Exhibit A1" and a map depicting the true boundaries of the property.

Section 2.

That any other provision of this ordinance, and all provisions of Ordinance 07-O-0982, was adopted by Council on June 4, 2007 and approved by the Mayor on June 12, 2007, shall remain in full force and effect.

Section 3.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed for this instance only.

EXHIBIT A

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 46 OF THE 14th DISTRICT OF FULTON COUNTY, GEORGIA AND BEING SHOWN AS A SECTION OF RIGHT-OF-WAY DESIGNATED AS JOHN WESLEY DOBBS AVENUE ON A PLAT OF RIGHT-OF-WAY ABANDONMENT OF JOHN WESLEY DOBBS AVENUE FOR TCRA PROPERTIES, INC. BY McCLUNG SURVEYING SERVICES, INC. DATED 4-20-07 AND BEING MORE FULLY DESCRIBED AS FOLLOWS;

TO REACH THE POINT OF BEGINNING, START AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF IRWIN STREET (60' R/W) AND THE WEST RIGHT-OF-WAY OF JACKSON STREET (60' R/W). THENCE RUNNING N00°20'00"E ALONG THE SAID WEST RIGHT-OF-WAY OF SAID JACKSON STREET A DISTANCE OF 333.55 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE SAID WEST RIGHT-OF-WAY OF SAID JACKSON STREET AND THE SOUTHEAST RIGHT-OF-WAY OF JOHN WESLEY DOBBS AVENUE (F.K.A. *HOUSTON STREET*) AND THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING AND RUNNING S71°50'50"W ALONG THE SAID SOUTHEAST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE A DISTANCE OF 202.38 FEET TO A POINT LOCATED AT THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY. THENCE LEAVING THE SAID SOUTHEAST RIGHT-OF-WAY AND RUNNING N18°09'10"W ALONG THE SOUTHWEST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE A DISTANCE OF 55.88 FEET TO A REBAR FOUND LOCATED AT THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY. THENCE RUNNING N71°45'54"E ALONG THE NORTHWEST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE A DISTANCE OF 221.64 FEET TO A NAIL FOUND LOCATED AT THE INTERSECTION OF THE SAID NORTHWEST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE AND THE WEST RIGHT-OF-WAY OF SAID JACKSON STREET. THENCE LEAVING THE SAID NORTHWEST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE RUNNING S00°43'24"W ACROSS SAID JOHN WESLEY DOBBS AVENUE A DISTANCE OF 59.42 FEET TO SAID SOUTHEAST RIGHT-OF-WAY OF SAID JOHN WESLEY DOBBS AVENUE AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.273 ACRES OR 11,881 SQUARE FEET.

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. THROUGH OUT GEORGIA 1-800-282-7411
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OR RECORD ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RE-CERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
5. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
6. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
7. THIS PLAT NOT INTENDED FOR RECORDING.

BENCHMARK INFORMATION

ALL ELEVATIONS SHOWN ARE TIED BY FIELD MEASUREMENTS TO MARTA MONUMENT #KMS 3.

KMS 3 IS A 3" BRASS DISK IN THE NORTH CONCRETE SIDEWALK OF DECATUR STREET NEAR WILLIAM HOLMES BORDER, SR. DRIVE.

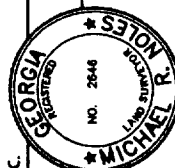
MONUMENT ELEVATION = 1022.369 FEET

NORTH AMERICAN DATUM 1983/1994

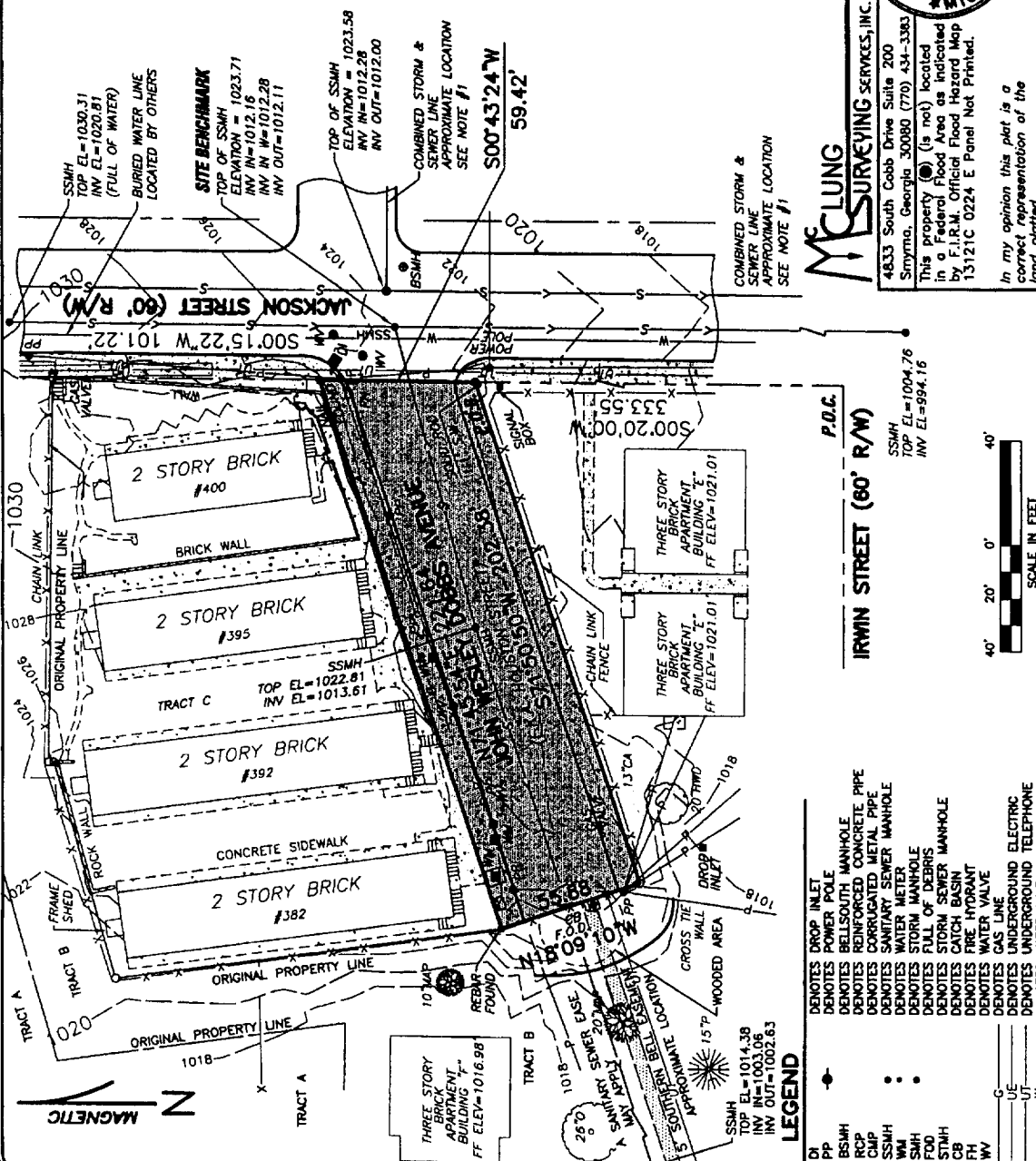
**TOTAL AREA= 0.273 ACRES
OR 11,881 SQ. FT.**

RIGHT-OF-WAY ABANDONMENT OF
JOHN WESLEY DOBBS Ave.
FOR
TCRA PROPERTIES, Inc.

LAND LOT 46
DISTRICT 14TH.
COUNTY FULTON
GEORGIA
PLAT PREPARED: 4-20-07
FIELD: 1-12-07 SCALE: 1"=40'



Michael R. Niles
Georgia RLS #2646
Member SAUSOG
JOB#224070-2



McLUNG SURVEYING SERVICES, INC.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 431-3393

This property (is not) located in a Federal Flood Area indicated in the Flood Insurance Hazard Map 13121C 0224 E Panel Not Printed.

In my opinion this plat is a correct representation of the land platted.

No.	Revision	Date

LEGEND

- DI DENOTES DROP INLET
- PP DENOTES POWER POLE
- BSMH DENOTES BELLSOUTH MANHOLE
- RCP DENOTES REINFORCED CONCRETE PIPE
- CMP DENOTES CORRUGATED METAL PIPE
- SSMH DENOTES SANITARY SEWER MANHOLE
- WM DENOTES WATER METER
- SMH DENOTES STORM MANHOLE
- FDD DENOTES FULL OF DEBRIS
- STMH DENOTES STORM SEWER MANHOLE
- CB DENOTES CATCH BASIN
- PH DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- UE DENOTES UNDERGROUND ELECTRIC
- UT DENOTES UNDERGROUND TELEPHONE
- W DENOTES WATER LINE
- X DENOTES FENCE LINE
- S DENOTES SANITARY SEWER LINE
- P DENOTES OVERHEAD POWER LINE